

CHAPTER 2925
DEPARTMENT OF CORRECTIONS
GROUP FOSTER HOMES

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DEFINITIONS

2925.0100 DEFINITIONS.

Subpart 1. **Scope.** Definitions for the purpose of these rules are as follows.

Subp. 2. **Applicant.** "Applicant" shall mean any person(s), agency, or organization applying for a license or renewal of license under this rule.

Subp. 3. **Commissioner.** "Commissioner" shall mean commissioner of the Minnesota Department of Corrections or a designee.

Subp. 4. **Contraband.** "Contraband" are those items designated by the GFH as unauthorized or unapproved on the physical premises of the facility.

Subp. 5. **Coordinator.** "Coordinator" is an individual who coordinates the operations of all of the group foster homes within a single county.

Subp. 6. **Department of Corrections, department, DOC.** "Department of Corrections," "department," or "DOC" shall mean Minnesota Department of Corrections.

Subp. 7. **Governing board.** "Governing board" (only applies in the case of privately operated group foster home programs) is the body which formulates the policies and procedures governing a group foster home, this body being composed of, at a minimum, the offices of president, secretary, treasurer and the administrator of the program, a local representative from the community, and additional membership according to the size and function of the individual program.

Subp. 8. **Group foster parents.** "Group foster parents" means the person(s) who carry(ies) out the continuing daily living program in a group foster home and provide(s) care to the youths. The group foster parents may be a married couple or a single adult who is 21 years of age or older or employed staff.

Subp. 9. **Group homes, group foster homes, or GFH.** "Group homes," "group foster homes," or "GFH" shall mean a residential facility where not more than eight delinquent youths are cared for by group foster parents on a 24-hour-a-day basis.

Subp. 10. **Leave of absence.** "Leave of absence" is a period of up to 12 months during which a set of group foster parents do not provide foster care for any youths.

Subp. 11. **License.** "License" shall mean a certificate issued by the commissioner authorizing the operator to provide specified services for a period of a year in accordance with the terms of the license, Minnesota Statutes, section 241.021, and the rules of the commissioner.

Subp. 12. **Program.** "Program" is a plan, procedure, or activity for dealing with youth in a group foster home.

Subp. 13. [Repealed, 9 SR 1656]

Subp. 14. **Renewal license.** "Renewal license" is a license issued for a period subsequent to the period for which the license was issued and where there has been no intervening period during which a license has been revoked.

Subp. 15. [Repealed, 9 SR 1656]

Subp. 16. **Revocation of license.** "Revocation of license" means that the operator of a facility shall no longer be authorized to provide services.

Subp. 17. **Service plan.** "Service plan" is a design for helping the youth reach the goal of placement.

Subp. 18. **Significant others.** "Significant others" are persons who are important in the life of the resident.

Subp. 19. **Sponsoring agency.** "Sponsoring agency" is the body which formulates the policies and procedures governing a group foster home. The bodies include but are not limited to: Community Corrections Board, County Court Services, state of Minnesota Department of Corrections, Community Corrections Departments, and nonprofit corporations.

Subp. 20. **Substantially conform, substantial compliance.** "Substantially conform" or "substantial compliance" as used in this rule shall mean compliance with 70 percent or more of all rules applicable to a facility's classification as stated herein, and, additionally, shall mean compliance with 70 percent or more of all rules applicable to a facility's classification in each part of these rules. "Part" as used in this definition means the entire area or subject matter under a given rule, e.g., parts 2925.0100, 2925.0300, etc.

Subp. 21. **Supervising agent.** "Supervising agent" is the probation officer or parole agent working with an individual youth or with a set of youths living in a single group foster home, or the equivalent of a supervising agent in privately operated homes.

Subp. 22. **Suspension of license.** "Suspension of license" means that the operator is not authorized to provide services for a specified period of time, or until the facility is found to be in substantial conformance with licensing requirements.

Subp. 22a. **Institutional group homes.** "Institutional group homes" means group homes designed to care for more than eight children. These group homes have staff in addition to or rather than group home parents.

Subp. 23. **Variance.** "Variance" means a written permission from the commissioner to disregard a particular part of a licensing rule.

Subp. 24. **Youth.** "Youth" are persons who are under 18 years of age.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656; 17 SR 1279*

2925.0200 INTRODUCTION.

Subpart 1. **Authority.** Minnesota Statutes, section 241.021, provides that the commissioner of corrections adopt rules establishing minimum standards for all correctional facilities throughout the state whether public or private, established and operated for the detention and confinement of persons detained or confined therein according to the law except to the extent that they are inspected or licensed by other state regulating

agencies. The rules which follow are minimum standards for all correctional group foster homes including institutional group homes.

Subp. 2. [Repealed, 9 SR 1656]

Subp. 3. [Repealed, 9 SR 1656]

Subp. 4. [Repealed, 9 SR 1656]

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.0300 [Repealed, 9 SR 1656]

2925.0400 [Repealed, 9 SR 1656]

PROCEDURES FOR LICENSING

2925.0500 ORIGINAL APPLICATION FOR LICENSE.

Subpart 1. **General.** New applicants shall file applications with the commissioner of corrections 30 days before the date the facility expects to operate.

Subp. 2. **Materials filed with application.** The materials to be filed with group foster home license application are:

A. a completed application for license on the form issued by the commissioner;

B. three letters of reference for the group foster parent(s) and for any employee involved in child care; the references may not be from department employees nor relatives of the persons referred;

C. evidence that sometime during the 12 months prior to initial licensure, each person living in or working in the home has had a mantoux test or chest X-ray;

D. a floor plan of the group foster home with designated room dimensions;

E. a list of other facilities which the operator has operated or is currently operating (either in or out-of-state); and

F. written documentation that all fire, safety, health rules, and zoning ordinances are met.

Subp. 3. **Preliminary home study.** As part of the application, the group foster parents shall assist the sponsoring agency in making a preliminary home study. This study must include an inspection of the facility and an investigation into the family's background and references.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.0600 RENEWAL LICENSE.

Subpart 1. **General.** Application for relicensing must be submitted to the commissioner 30 days prior to the expiration date of the facilities current license. Any materials submitted in a previous license application which are not replaced by new submissions are presumed to be current.

Subp. 2. **Materials filed with application.** The materials to be filed with group foster home license renewal application are:

A. a record of major changes in the program or facility during the year or contemplated for the coming year;

B. building plans for any contemplated construction giving room dimensions and specifications and use; and

C. written documentation that the fire, safety, and health rules are met. Fire inspections are required at the time of initial licensing and every three years after that. The commissioner may require a new fire inspection at anytime it is determined that

there may be unsafe practices in the facility which may threaten the life safety of residents.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.0700 [Repealed, 9 SR 1656]

2925.0800 CONDITIONS OF LICENSE.

Subpart 1. **General.** A license applies only to the organization or person(s) to whom it is issued and to the buildings approved. The license expires automatically if there is a change in location, organization, or a structural modification or addition to the physical facility, which would affect either the terms of the license or the continuing eligibility for a license. In such cases, a new license must be filed. An application for a new license must include:

A. an outline of any proposed changes in the group foster home's program (ex: philosophy, purpose, and function of the program); and

B. a new floor plan of the group foster home with designated room dimensions.

Subp. 2. [Repealed, 9 SR 1656]

Subp. 3. **Restrictions on capacity.** Every license must be restricted to a specified maximum capacity. No regular group foster home may be licensed with a maximum capacity so high as to allow more than ten youths, including both foster youths and the youths in the group foster parents' natural family, to live in the group foster home.

Subp. 4. **No fee for license.** There is no fee for a state license.

Subp. 5. **No occupancy before licensing.** No persons may be placed in a group foster home prior to its being licensed.

Subp. 6. **License issued for specific number of residents.** Group foster home licenses will be issued by the Department of Corrections for a specific number of foster children, not exceeding eight.

Subp. 7. **Issuance of licenses.** A license shall be issued when the applicant is in substantial compliance with the rules.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.0900 [Repealed, 9 SR 1656]

2925.1000 VARIANCE OF SPECIFIC RULE.

The granting of a variance under this part does not constitute a precedent for any other group foster home. The commissioner shall grant a variance of a specific rule, if in the licensing procedure of enforcement of the standards, the commissioner finds that:

A. to require a particular group foster home to comply strictly with one or more of the provisions will result in undue hardship;

B. the group foster home is otherwise in substantial conformance with said standards and their general purpose and intent; and

C. the group foster home complies with such specific condition(s) as the commissioner shall deem necessary for the protection of the health, safety, and welfare of the foster children.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.1100 [Repealed, 9 SR 1656]

2925.1200 NOTICE TO APPLICANT OF COMMISSIONER'S ACTION.

After the application for license is approved by the commissioner, the applicant will receive by mail a license which, as provided by Minnesota Statutes, section 241.021, must set forth the conditions under which the group foster home may operate. The terms of the license must include the operating name of the group foster home, the maximum number and sex of the foster children to be served, and the period of time for which the license is effective, and must include other conditions which the commissioner may prescribe.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.1300 [Repealed, 9 SR 1656]

2925.1400 RESTRICTION OF USE OF GROUP FOSTER HOME.

The commissioner shall by written order restrict the use of any group foster home which does not substantially conform to the minimum standards, or, where specific conditions exist which endanger the health, welfare, or safety of foster children or staff, prohibit the detention of persons therein for more than 72 hours.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.1500 APPEAL PROCEDURE FOR DENIAL, SUSPENSION, AND REVOCATION OF LICENSE.

Any applicant who feels aggrieved by the commissioner's action may appeal the commissioner's decision in the following manner. The operator shall be given written notice of action and shall be informed of the right to appeal the decision of the commissioner. The operator must appeal the decision in writing to the commissioner within ten days from the operator's receipt of the notice of action. Upon receiving a timely written appeal, the commissioner shall give the operator reasonable notice and an opportunity for a prompt hearing before an impartial hearing examiner.

Statutory Authority: *MS s 241.021*

2925.1600 LIMITATION ON RENEWAL OF LICENSE.

When a GFH license has been revoked or not renewed because of noncompliance with applicable laws, it shall not be granted a new license for a period of one year following the revocation, denial, or nonrenewal.

Statutory Authority: *MS s 241.021*

2925.1700 [Repealed, 9 SR 1656]

2925.1800 GROUP FOSTER PARENT QUALIFICATIONS.

Subpart 1. [Repealed, 9 SR 1656]

Subp. 2. **License not allowed.** A group foster home license may not be issued or renewed where any person, except foster youth, living in the household has any of the following characteristics:

A. A conviction for, or admission of, or substantial evidence of an act of child battering, child abuse, child molesting, child neglect, or incest within the previous five years.

B. Chemical dependency, unless the individual is identified as chemically free for at least 24 consecutive months.

C. Residence of the family's own children in foster care, correctional facility, or residential treatment for emotional disturbance within the previous 12 months.

D. Felony conviction within the previous three years, or release from incarceration for a felony conviction within the previous three years.

E. Misdemeanor conviction within the previous 12 months, or release from incarceration for a misdemeanor conviction within the previous 12 months.

Subp. 3. **Age.** All group foster parents shall be at least 21 years of age at the time of licensure.

Subp. 4. **Physical handicap.** Physical handicap of group foster parents may be a consideration only as it affects their ability to provide adequate care to foster youths.

Subp. 5. **Adults absent from home.** When all adults in the GFH are employed or otherwise occupied for substantial amounts of time away from home, the plans for care and supervision of the foster youths shall be approved in advance by the commissioner. At least one group foster parent shall be available at all times in case of emergency.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.1900 HEALTH OF PERSONS LIVING IN GROUP FOSTER HOMES.

Subpart 1. **Mantoux test or chest X-ray.** A requirement for licensing is evidence that sometime during the 12 months prior to initial licensure, each person living in the home has had a mantoux test or chest X-ray.

Subp. 2. **Other health problems.** When in the judgment of the licensing authority, any person in the home exhibits a health problem, an evaluation may be requested of the person as a requirement for licensing.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2000 TRAINING FOR GROUP FOSTER PARENTS.

Subpart 1. **General.** Group foster parents shall participate in a minimum of 18 hours annually of training related to foster care. The 18 hours may be shared between the group foster parents in the home. When the group foster parents have not completed the required annual training at the time of relicensure, no further placements may be made in that group foster home until the group foster parents have complied with the training requirements.

Subp. 2. **First aid training.** First aid training is mandatory for all group foster parents. Certificates or statements of training must document that first aid training is updated every three years.

Subp. 3. [Repealed, 9 SR 1656]

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2100 VACATIONS FOR GROUP FOSTER PARENTS.

Subpart 1. [Repealed, 9 SR 1656]

Subp. 2. **Vacations.** The group foster parents shall make suitable arrangements for the care of foster youths for any periods of vacation or emergency. The supervising agent or coordinator shall approve the arrangements. Substitute group foster parents must have the same qualifications as the regular group foster parents (see group foster parent qualifications, part 2925.1800), and must have access to group foster parents' training opportunities (see training for group foster parents, parts 2925.2000 and 2925.2100).

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2200 PROGRAM FOR GROUP FOSTER PARENTS.

Subpart 1. **Orientation.** At the time of intake, group foster parents shall discuss program goals, service(s) available, rules governing conduct, program rules, and possible disciplinary actions with the foster child. This must be documented.

Subp. 2. **Service plan.** A service plan must be developed and must be implemented based on the special needs of each child.

Subp. 3. **Progress review.** The group foster parents shall continuously review each child's progress in relation to the service plan, and a record of the review shall be maintained.

Subp. 4. **Other considerations.** The group foster home's plan must make provisions for the following:

- A. contact with child's family and significant others;
- B. visitation policies; and
- C. involvement in the community.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

SPECIAL PROCEDURES

2925.2300 HOUSE RULES.

Subpart 1. [Repealed, 9 SR 1656]

Subp. 2. **Written grievance procedure.** The group foster parents shall supply to each foster child the rules of the home, the foster child's rights, and the grievance procedure.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2400 EMERGENCY PLANS.

Written emergency fire, medical, and accident plans must be posted in the home.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2500 DISCIPLINE.

Subpart 1. [Repealed, 9 SR 1656]

Subp. 2. **Types of discipline prohibited.** Foster youths may not be subjected to denial of food, medication, mail, or sleep as punishment.

Subp. 3. **Physical force.** Physical force may be used only for self-protection, prevention of property damage, protection of others, and only to the degree necessary and in accordance with appropriate statutory authority; such action must be documented and placed on file in the group foster home. Violation of statutory authority with respect to physical abuse is grounds for loss of the group foster home's license.

Subp. 4. **Room restriction, facility restriction, and privilege suspension.** Room restriction may not exceed eight hours. The foster youth must be observed by a group foster parent or staff person at least hourly.

Prior to room restriction, facility restriction, or privilege suspension the foster youth must have the reasons for the restriction or suspension explained and have an opportunity to explain the behavior leading to the restriction or suspension.

All instances of room restriction, privilege suspension, and facility restriction must be logged, dated, and signed by the group foster parent(s) implementing the disciplinary procedure; the log must be reviewed by the supervising agent or coordinator.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2600 SECURITY PROCEDURES.

Subpart 1. **Accountability for whereabouts and conduct of foster youths.** Group foster parents are accountable for the whereabouts and conduct of foster youths who

have been referred by a court or the Department of Corrections. The group foster parents shall notify appropriate probation officers, parole officers, or relevant officials as soon as it has been determined that a foster youth is missing.

Subp. 2. **Weapons.** Weapons in the group foster home must be securely stored and are the responsibility of the group foster parents.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2700 PERSONAL COMMUNICATION.

Subpart 1. **General.** To encourage foster youths to maintain or develop close relationships with members of their family, friends, and relatives, communication channels must be as open as possible.

Subp. 2. **Mail policy.** Foster children's mail may not be intercepted or read.

Subp. 3. **Use of telephone.** Written policy must provide that foster children have access to a telephone and shall contain any rules which regulate this activity.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2800 PERSONAL POSSESSIONS.

Each foster child must be allowed to bring appropriate personal possessions to the group foster home and must be allowed to acquire possessions to the extent the group foster home is able to accommodate secure storage of them.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2900 PUBLIC REPORTS, STATEMENTS, OR APPEARANCES.

Foster children may not be required to make public statements acknowledging their gratitude to the program and may not be required to perform or appear at public gatherings.

The group foster parents, supervising agent, or coordinator may not use reports or pictures from which a foster child can be identified without written consent from the foster child and parents or legal guardians. The signed consent forms must be on file before any reports or pictures from which foster children can be identified are used. The foster child must be informed that consent can be withdrawn at any time.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.2950 INSTITUTIONAL GROUP HOMES.

Institutional group homes must meet the following criteria:

A. The staff-to-youth ratio must be a minimum of one to ten on duty during times when youth are not involved in normal activities away from the home or during normal sleeping hours.

B. Unless waived by the local fire authority, a staff person must be awake and alert during normal sleeping hours.

C. The facility shall develop and make available to all youth, house rules and the consequences for these rules.

D. Policies must outline the following:

- (1) work assignments for the youth;
- (2) a statement that work assignments be appropriate to the youth based on age, and physical and emotional ability;
- (3) safety rules for work assignments which pose some hazards; and

(4) a statement that the youth may not be required to perform personal duties for staff.

E. Persons employed in the home must be selected based on their ability to perform the assigned tasks.

F. Volunteer programs in the facility must have policies governed by the following:

- (1) there must be formally established criteria for selecting volunteers;
- (2) the volunteer must clearly understand the specific assignment;
- (3) the responsibilities of the volunteer must be clearly differentiated from that of staff;
- (4) if a volunteer is used in the same capacity as a paid staff, the volunteer must meet the same criteria;
- (5) the volunteer program must be assigned to a specific staff person; and
- (6) volunteers providing direct services to the youth must be a minimum of 18 years of age.

G. Policy must regulate the distribution and storage of prescription drugs.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.3000 [Repealed, 9 SR 1656]

PHYSICAL FACILITY

2925.3100 BEDROOMS.

Subpart 1. **Single bedrooms.** Single bedrooms must provide 70 square feet of usable floor space with a side dimension of not less than seven feet for ambulatory foster children. For nonambulatory foster children the requirements are 100 square feet of usable floor area with a side dimension of not less than nine feet.

Subp. 2. **Multibed bedrooms.** Multibed bedrooms must provide 60 square feet per person of usable floor space with three feet between beds placed side by side, and one foot between beds placed end to end for ambulatory foster children. For nonambulatory/nonmobile foster children, the multibed bedrooms must provide 80 square feet of usable floor area. Multibed bedrooms for active, nonambulatory, mobile foster children must be 100 square feet per foster child. Mobility space at the end and one side of each bed must be four feet per foster child.

Subp. 3. **Nonambulatory mobile foster children.** Bedrooms for nonambulatory mobile foster children must have adequate accessible space for storage of wheelchairs and other prosthetic or adaptive equipment for daily out of bed activity or acceptable similar storage spaces must be provided outside the bedroom readily and handily accessible to the foster child.

Subp. 4. **Capacity.** In new or remodeled buildings, bedrooms must accommodate no more than four foster children.

Subp. 5. **Furnishings.** Each foster child must be provided, at a minimum, with bed; mattress; supply of bed linen and towels; chair; adequate lighting; and closet/locker space.

Subp. 6. **Separate bedrooms.** Male and female foster children may not occupy the same bedrooms. Youth and adults may not share bedrooms.

Statutory Authority: *MS s 241.021*

History: 9 SR 1656

2925.3200 [Repealed, 9 SR 1656]

2925.3300 BATHROOM FACILITIES.

Every facility must be equipped with adequate and conveniently located toilet rooms for its foster children. Washbasins and toilets must be provided in the ratio of one toilet and one washbasin for every eight foster children. One bath or shower must be available for every eight foster children.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.3400 [Repealed, 9 SR 1656]**2925.3500 DINING ROOM.**

The dining area must comfortably accommodate, at one time, all of the foster children plus the natural family living in the group foster home.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.3600 ENVIRONMENT; GENERAL.

Subpart 1. **Day care.** A group foster home may not concurrently hold a license for family day care or group day care without prior approval by the commissioner.

Subp. 2. **Approval to live in group foster home.** All persons living in the group foster home must first be approved by the coordinator or the sponsoring agency.

Subp. 3. **Admission or dismissal.** The group foster parents shall not admit nor dismiss any youth without the authority of the commissioner, the juvenile court, or the youth's supervising agent.

Subp. 4. **Evaluation and investigation.** The commissioner and any supervising agent must have access to the group foster home for evaluation at any time during normal working hours and at other times by mutual agreement. For the purpose of investigating complaints concerning the health and safety of the youths, the commissioner and any supervising agent must have access to the group foster home at any time.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

HEALTH CARE AND MEDICAL SERVICES**2925.3700 HEALTH CARE AND MEDICAL SERVICES.**

Subpart 1. **Arranging care.** Group foster parents are responsible for assisting in arranging for medical and dental care for each foster child.

Subp. 2. **Communicable disease.** If a foster child is suspected of having a communicable disease, the group foster parents shall see that the foster child is given a physical examination by a qualified physician and any necessary treatment.

Subp. 3. **Medication.** Medications shall be administered only as instructed by a licensed physician.

Subp. 4. **Medical records.** All medical records shall be maintained including office visits, medications given, dosage, time period, and the signature of the person administering the medication (See records, parts 2925.3900 to 2925.4100.)

Subp. 5. **First aid equipment.** The GFH shall have first aid equipment, which meets American Red Cross standards available at all times for medical emergencies.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

NUTRITION AND FOOD

2925.3800 NUTRITION AND FOOD.

Subpart 1. **Food service.** When the group foster home provides or contracts for food service, the service shall comply with and meet all sanitation and health codes.

Subp. 2. **Nutrition requirements.** The food and nutritional needs of foster children must be met. Providing each foster child the specific serving per day from each of the following four food groups will satisfy this requirement.

A. Meat or protein group: two or more servings per day. A serving within this group is defined as:

- (1) two to three ounces cooked, lean, edible meat;
- (2) two medium eggs;
- (3) four tablespoons peanut butter; or
- (4) one cup dry beans.

B. Milk group: four servings per day. A serving is defined as:

- (1) one cup of milk;
- (2) one ounce of cheese; or
- (3) one-half cup cottage cheese.

C. Cereal and bread group: four or more servings per day. A serving is defined as:

- (1) one-half to one slice of bread;
- (2) one-half to three-fourths cup cereal;
- (3) one-half to three-fourths cup of rice; or
- (4) one-half to three-fourths cup of pasta.

D. Fruit and vegetable group: four or more servings per day. A serving is defined as:

- (1) one-half cup potatoes;
- (2) one-half cup cooked vegetables;
- (3) four pieces raw vegetables;
- (4) one-half cup fruit; or
- (5) one-half cup juice (citrus, etc.).

Subp. 3. **Number of meals.** A minimum of three meals a day must be available for foster children. The group foster parents shall ensure that the youths receive adequate meals during the day while they are in community activities. This must include participation in a school lunch program.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

RECORDS

2925.3900 FOSTER YOUTHS' RECORDS MAINTAINED BY SUPERVISING AGENT, COORDINATOR, OR SPONSORING AGENCY.

Subpart 1. **Medical records.** A record must be kept of ongoing medical information, when available, including:

- A. immunization;
- B. dental examination;
- C. reports of any illness or injury and treatment given;
- D. psychological examinations and treatment;
- E. use of drugs;
- F. routine physical examinations and other medical contacts; and

G. consent for necessary dental, medical, and surgical treatment and hospitalization.

Subp. 2. **Progress records.** The record must include a summary of the foster child's progress. These reports must be recorded regularly and must include the following:

A. reports of significant incidents, both positive and negative, and changes in the family situation;

B. plans which involve the foster child; and

C. grievance and disciplinary actions.

Subp. 3. **Face sheet.** Each record shall have a face sheet bearing factual data and identifying information. The group foster parents are required to keep a copy of the face sheet which shall include the following:

A. name;

B. date and place of birth;

C. sex;

D. religion;

E. race;

F. name of person(s) to contact in emergencies;

G. guardianship and custody;

H. date of admission;

I. insurance policy numbers, medical number, if any;

J. name of probation officer, parole officer, or welfare worker;

K. date of termination;

L. special medical problems or needs;

M. financial arrangements for medical care;

N. legal status, including jurisdiction, length, and conditions of placement; and

O. financial arrangements for care.

Subp. 4. **Requests for data.** Group foster parents shall refer any individuals or agencies requesting foster child data to the supervising agent of the youth.

Statutory Authority: *MS s 241.021*

History: *9 SR 1656*

2925.4000 PERSONNEL RECORDS.

Group foster parents shall have access to their personnel files which are maintained by the supervising agent or coordinator.

Statutory Authority: *MS s 241.021*

2925.4100 SEVERABILITY.

If any part, subpart, item, subitem, unit, subunit, clause, or phrase of these rules is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the department of corrections, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of these rules.

Statutory Authority: *MS s 241.021*